

through Medicaid—means that a child in Cleveland or Cincinnati or Gallipolis or Troy or Pickaway, OH, can see a family doctor when they need it, thereby preventing a costly ambulance ride and emergency room visit.

CHIP means a bunch of things. It means vaccines, shots, dental coverage, and better treatment if kids get sick. Think about this: It is not just the health care. It means they do better in school. It means they miss fewer days in school so they don't fall behind their classmates who perhaps have better health insurance. It means they perform better in school because they feel better. We know the stories of how a hungry or sick child can't focus on what they need to do in the classroom. CHIP means that children from Bowling Green will get the health care they need to become healthy, active adults.

We know that the current CHIP—today's 2015 version of CHIP—works not just because of the number of insured children under the program but because of the flexibility it provides States and the quality of care children receive.

Ohio's conservative Republican Governor supports CHIP. It is called Healthy Start in Ohio because the Governor and legislature have been given flexibility under CHIP to make it work for that State.

The flexibility that CHIP provides States is the result of 20 years of watching, observing, quantifying, and analyzing CHIP. We have had 18 years of experience in seeing what works best, and we have worked together to make improvements. As a result, under the current CHIP program, more children are covered and the coverage they get is better.

If we don't act, understand that CHIP—the authorization, the language, the law governing CHIP is in effect until 2019, but the funding for CHIP runs out in September of this year. You have to have both. You have to have the law governing CHIP—how it works, who is eligible, how the States have flexibility—but obviously you also need the money to implement it.

If Congress doesn't act now, first of all, Ohio, my State, would lose \$146 million in Federal funds in 2016 alone, and the Presiding Officer's State of Indiana would lose tens of millions of dollars in CHIP funding.

We know another thing: Whether it is Governor Pence in Indiana or Governor Kasich in my State, they need the flexibility of knowing what Congress is actually going to do. We should not wait until July or August; we should reallocate money for CHIP today. If we don't act, parents like Shonte and Jennifer may not be able to get the quality, affordable care for their children as States would start to roll back CHIP programs.

That is why I will soon introduce legislation to protect the program and extend its funding so it runs out at the same time as the authorization—the roadmap, if you will, of how CHIP will

work. If we let the program run out of funding, the number of uninsured children will increase, the quality of health care will decrease, and States will see a significant increase in cost-sharing services.

Providing health insurance to low-income children isn't just the right thing to do, it is the smart thing to do. If the program works, it works for children, it works for parents, it works for communities, and it works for our great country.

I call on my colleagues to work with me to extend funding for the current CHIP program before it is too late.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KAINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. KAINE. Mr. President, I rise today because I wish to speak about the importance of this DHS funding bill that is going to be before the body in the coming days. In particular, I wish to emphasize what I think is the important imperative that we pass what we are calling a clean bill to fund the Department of Homeland Security for the remainder of fiscal year 2015 through the end of September. That clean bill would be a bill that would fund homeland security without attaching additional items to it concerning immigration.

The support of this legislation was an initiative we were together on. We negotiated in December as part of a budget process by leaders of both parties in both Chambers, and the funding for DHS would have been an increase to help protect our borders and help protect our security by about \$1.2 billion above the enacted level for fiscal year 2014. But at the end of the year the decision was made by the House to not fund that piece and leave it separately and that is why we are now talking about whether we will fund the Nation's homeland security efforts and under what circumstances.

All 45 Members on the Democratic side, save only Senator REID, have written a letter saying let's make sure we fund DHS at the level we have already agreed to between the Houses. Then, let's not play politics over immigration issues; let's take up immigration separately. But the House bill that has been sent to us includes measures to begin to block or unwind actions taken by the President on immigration, and those complicate what all should agree is a national imperative, which is the need to fund homeland security. If we don't pass such a bill, that funding will expire on February 28.

I don't need to explain too much why homeland security funding is important, but let me make a few points. This Department was created after the attacks of 9/11, and its stated mission—while it employs an awful lot of people and does many complicated things, the mission is quite simple—let's keep our country safe, secure, and resilient against terrorism and other hazards. We see every day the kinds of terrorism hazards we are dealing with. The horrible shooting in Paris a few weeks ago and the shooting in Quebec a few months ago remind us of the dangers of terrorism, and now that we are in a war against ISIL—a jihadist terrorist enemy that has promised to carry out attacks on the United States—we should be very concerned about the mission the DHS performs and the need to provide funding.

The men and women who work for the DHS are quite a wide swath of our Federal employees. They are the TSA personnel who protect our transportation system, the Border Patrol agents who serve on our Nation's front lines, Customs officials who oversee the entrance of nearly 1 million visitors per day who come to the United States, and we need Customs agents to help process those visitors. Our DHS folks include disaster specialists—people who respond to hurricanes and other emergencies. Our Coast Guard, our Secret Service, and many of our cyber security professionals all work for the DHS and they work hard every day to carry out that mission of keeping our Nation safe.

Funding DHS is not just critical to the Nation's security, it is also critical to the economy because DHS is the third largest agency in the Federal Government by the number of employees. The impact of any shutdown or cessation of funding would reverberate through the country, from our Southwest border to our Nation's ports to every international airport that brings in either foreign commerce or foreign visitors who want to come and be tourists in our country.

Many DHS employees, as the Presiding Officer knows, call Virginia home, and a shutdown would impact their lives and would make it difficult for them to plan not only for their immediate needs but for an unknown period of time.

So as we are facing threats—and I think we all would agree—while we sometimes have differences of opinion about how to deal with threats, I think everybody in this body would acknowledge that the threats we are dealing with as a nation are not shrinking, they are growing. The challenges we are facing are not getting fewer in number, they are getting greater in number. To respond to threats, the DHS not only needs a good funding bill at an appropriate level, which we have already agreed to, but they need financial certainty and the flexibility to direct its resources as they can.

Let me give one interesting recent example of how DHS employees have

been very important in Virginia, and how those serving in Virginia have performed a critical role for the Nation.

We saw a crisis spring up in 2014 that many of us hadn't paid too much attention to before, and that is the spread of the Ebola virus in Africa. That epidemic that began in 2014 is the largest in history for this kind of virus and it had a significant impact on many West African countries. There were more than 22,000 cases as of January 30, 2015.

One of the great things is whenever there is a challenge such as this, the nations of the world turn to the United States and they ask for our help. Many parts of our government responded. We deployed military and health professionals to Africa to try to battle the disease there, but we have also deployed our DHS personnel right here at home to keep us safe. As part of this strategy to stop the spread of Ebola, DHS announced in October that five U.S. airports would begin an advanced screening process for Ebola, and one of those airports is in Virginia, and that is Dulles airport. Shortly after, DHS announced that all travelers from Ebola-affected countries would have to enter the United States from one of these five airports.

So using existing resources—using existing resources because we didn't have an Ebola line item in the 2014 budget; this is an emergency that came up—but with existing resources, the DHS employees at Dulles were charged with supervising the entire Ebola screening process, including administering questionnaires, taking travelers' temperatures, and referring potentially infected people to the Centers for Disease Control, while also doing all of their regular duties. These officers in Virginia have gone above and beyond their mission for the sake of keeping every American safe.

Since this advanced screening began in October, CBP officers at Dulles have interviewed more than 2,000 visitors to the United States from African countries and they have referred more than 140 people to the CDC. As a result of their work and the work of their colleagues and their ability to react to this emerging threat, the United States has only seen two diagnosed cases of Ebola since advanced screening began at our airports, and both patients recovered.

This should be viewed as a huge success. Remember how worried we all were—how worried I was—when this was happening in September and October. Our DHS employees have gone the extra mile to keep us safe.

This is the kind of mission that we call upon our DHS employees to carry out for our security. It has nothing to do with congressional debates about immigration policy, but it has everything to do with doing the stated mission of keeping us safe. To limit DHS's access to resources by shutting down the agency or passing another continuing resolution that would keep them running on auto pilot—sort of

driving by looking in the rearview mirror rather than looking through the windshield of the challenges to come—would damage the ability of DHS to deal with growing threats.

I understand the message from the House. We have agreed on the right funding level for DHS. They are saying, however, that we will only fund DHS, we will only fund the guys who are protecting us from ISIL, or protecting us from Ebola, or protecting our ports from nuclear material being shipped—we will only fund it if we can get an agreement to change policies enacted by the President with immigration. They are threatening to stop funding DHS actions unless we reverse the President's actions on immigration—actions that, in my view, are already helping the economy by bringing families out of the shadows to become productive, taxpaying members of our communities.

While I strongly support the President's immigration actions—and most of them I voted for as part of the Senate's comprehensive immigration reform bill that we passed in June of 2013—I can understand there might be Members of the House who may not like those actions. They may want to do something different. And the great thing is they have an ability to do something different. The House, with a significant Republican majority, can pass their own immigration reform bill. They can retract the President's actions. They can express what they want to do about immigration reform. They can pass that bill just as they passed the DHS funding bill, and send it over to the Senate, and we can have a debate about immigration reform. But we can have that debate without holding hostage the funding of the third largest agency in government, without holding hostage the work that agency does every day to keep us safe.

I think the good news in all of this is in both the House and Senate there are people who think the immigration system is broken, the immigration system needs to be fixed, and we ought to have a dialogue to do it. Certainly, when the Senate passed an immigration reform bill in June of 2013—nearly 2 years ago—and we sent it to the House, we knew the House was not going to adopt what the Senate passed without changing anything. We were trying to start a dialogue where the House could pass their own bill and then we could sit down in conference and work out a solution to an immigration system that we all think is broken. That is what we should be doing as responsible legislators—fixing an immigration system, and even those of us who have different views, getting those views on the table and finding a compromise. It is the wrong thing to do to try to hold up funding for the third largest agency in government—this agency that is keeping us safe in so many ways all over this country every day—to try to reverse actions the President took that are well within his legal authority.

So I am going to continue to support the President's Executive actions. I am going to continue to encourage the House and others, if they have different ideas about immigration reform, to pass a bill, put their ideas on the table and we will talk about them. But it is wrong to try to hold up protecting our Nation's security as a punishment to the President for using Executive action that was within his legal power to make. Since we have the complete ability to have a discussion about immigration, let's do it.

I will conclude and say this, although I wish I didn't have to—and particularly looking at these young pages who are sitting in front of me—it is a dangerous world out there. For the sake of these youngsters and my own kids, I wish it was getting less dangerous. I have a son in the military. I wish it was getting less dangerous, but it is not. It is getting more dangerous. The kinds of threats we have to face abroad and at home are tough, challenging, difficult threats. We have professionals on the front line every day, many of whom are risking their lives for us, to try to stop these threats. Let's not starve their work. Let's not hamper their work. Let's not make them face the threat of a shutdown or losing their salary or losing their livelihood while we wait for Congress to have a meaningful debate about immigration.

I appreciate the opportunity to offer those thoughts and to urge funding for a clean DHS bill.

I yield the floor.

THE PRESIDING OFFICER (Mr. LANKFORD). The Senator from Utah.

Mr. LEE. Mr. President, tomorrow afternoon the Senate will vote to begin consideration of the bill called H.R. 240. This is a bill that authorizes funding for the Department of Homeland Security, or DHS. It would fund DHS through September of this year. This, of course, is a procedural vote we have scheduled for tomorrow, not a substantive one. The only question on the table, the sole question in connection with this particular vote, will be whether the Senate is ready to begin voting and debating on H.R. 240.

I am ready—I am eager, in fact—to begin this debate. It does need to begin. That is what this vote is about. Not just because we have only 25 days before the current budget authority for DHS expires but also because this debate will finally allow the American people to see where their elected representatives, right here in the U.S. Senate, stand on President Obama's recent Executive action on immigration.

The legislature is the only law-making branch within our Federal Government because it is the only deliberative branch in our government. Before Congress enacts a piece of legislation—before it makes a new piece of law—we first debate the merits of that legislation—weighing the various pros and cons of each proposal in a candid and transparent discussion, and allowing the various sides of the issue to make their case.

Open, robust debate is not merely incidental to the lawmaking process that goes on here, it is the essence of that lawmaking process. It is at the very heart, the very center, the very core of this process that we hold near and dear and was established by our 227-year-old founding document. It is the only way for Members of Congress to fully explore the cost and consequences of a particular policy under consideration. It is the only way for the American people to know exactly where their elected officials stand on an issue; and, just as importantly, why they stand where they stand.

When the President of the United States announced in November of last year he was singlehandedly going to rewrite our immigration laws, in effect, he short-circuited this process of debate and of deliberation that is at the very heart of our constitutional lawmaking process.

His announcement showed us what it looks like when one person ignores the limits of his office and claims the power to change the law all on his own, just as an expression of his own unilateral will.

Policies are written behind closed doors, in consultation with lawyers and special-interest groups, rather than the American people. The law is pronounced from behind a podium as a fait accompli rather than discussed and debated in an open, transparent, fair contest of ideas and open to inspection by 300 million Americans who will be affected by these decisions.

This is not how our Republic works. It is not what the American people expect from their elected officials in Washington, DC. Indeed, poll after poll shows most people disapprove of the President's Executive action on immigration—that same action taken just this last November. Even those who agree with the President on policy grounds, even those who think the President's amnesty action would be the kind of policy they would prefer, even those people disagree with the President on the process because the American people understand that the process does matter. Especially among those people who have taken an oath to uphold, protect, and defend the Constitution of the United States—that same document that prescribes the formula by which our laws are made.

According to one poll, when asked if the President should “sidestep Congress and act on his own using Executive orders,” only 22 percent of the public said he should—22 percent. It is hardly a rousing mandate from the American people. In other words, the American people know what our President seems to have forgotten: that in a constitutional republic the ends don't justify the means.

The American people oppose lawmaking by fiat not out of some abstract loyalty to the abstract concept of separation of powers. No, that is not why. Rather, they understand quite intuitively that when a President side-

steps Congress and avoids open, robust debate on a particular policy, it is probably because the public isn't likely to accept and isn't likely to like the substance of that policy. Otherwise, he wouldn't need to take this kind of action. Otherwise, he could do it through the people's duly elected representatives who have been put in office specifically for the purpose of making law through this open, deliberative, transparent process.

This is certainly what we have seen in the aftermath of the President's Executive order on immigration. The more the people discover about the content and about the consequences of his policy, the less they like it. For instance, the President claimed that his Executive order would honor the golden rule of American exceptionalism: If you work hard and play by the rules, you can get ahead.

We now know his plan subverts this very basic fundamental bargain by paving a path to citizenship for millions of immigrants who have broken the rules and violated the law, and by granting them work permits and benefits such as Social Security and Medicare.

Likewise, we were told the President's Executive order would make our immigration system more fair and more functional, more accessible for everyone. But we now know his plan will only exacerbate the problems in our labor market for American workers by giving more power and more money to the dysfunctional U.S. Citizenship and Immigration Services, or USCIS. This is the agency within the Department of Homeland Security that was recently reported to have given over 900,000 work permits to illegal immigrants since 2009. We know that unless we do something to stop it, unless we do something to reach back and take back our constitutional privilege, our institutional privilege as the lawmaking branch of the Federal Government, the President's Executive order will go into effect at a time when all net job growth in our economy since 2007 has gone to immigrants.

These are the kinds of facts and figures that ought to inform the legislative process and ought to not be treated as some sort of afterthought. These are not, coincidentally, exactly the kinds of observations, the kinds of facts and figures, the kinds of details that could have been and should have been and, undoubtedly, inevitably would have been explored had this policy been implemented through the constitutionally prescribed formula.

Last November the President may have chosen to ignore these facts and to circumvent debate altogether, but that doesn't mean we have to respond in kind. That certainly doesn't mean we have to capitulate and say, okay, the way he wants to do it is fine. It is not constitutional. It is not legal. It is not what the American people want, but we just have to accept it. No. On the contrary, I believe we have not just a right but we have a duty, we have an

affirmative obligation to make every effort to ensure lawmaking by edict does not become the new normal in this country. Not now, not ever, not in the United States of America.

Beginning debate on this bill will give us the opportunity to do just that, to make sure this never becomes the new normal. Some have said we shouldn't be debating the President's Executive action on immigration right now. They say it has nothing to do with funding the operations of the Department of Homeland Security. To this I have a very simple reply: If not now, when? If we are not going to do it right now, when are we going to do it? When will there be a better time? When will there be any adequate time for us to respond to this constitutional overreach, this grave injustice? If we don't debate the legality of the President's Executive orders when we are in the very process of authorizing money to the Department that is tasked with carrying out those very orders, then when exactly will we have that debate?

The truth is now is the perfect time because it is the only time. It is the only time when we can do this. It is the only time for us to have a meaningful debate on the President's Executive action on immigration.

At any other point our debate is more or less hypothetical. Now is the time, when we are exercising our constitutional power of the purse, that our debate has consequences, real consequences. They are consequences the American people can see and feel, consequences that will inure to the betterment or the detriment of the American people. Now is the time when this needs to be debated.

The power of the purse is the power to allocate money to fund government operations as well as the power to withhold money from improper or illegitimate government operations. It is what enables Congress—and only Congress, uniquely Congress—to reform dysfunctional government.

We like to talk about the power of the purse as a tool that Congress can use, use as a check and a balance against the excesses of an overbearing President. That is absolutely true. There is no doubt about it. But first and foremost, it is a tool for Members of Congress themselves to represent the interests of our constituents and to fix the very things that are broken within our government.

Our Constitution grants the legislative branch—this branch, Congress—the power of the purse not simply to achieve some abstract equilibrium or balance of power, but to compel the national government to truly represent the American people and to be faithful stewards of taxpayer funds.

At the end of November of last year, President Obama made his choice. It was an unfortunate choice; it was a wrong choice. It was a choice not backed up by law, not backed up by the U.S. Constitution, and flatly inconsistent with the same. President

Obama made his choice in November. Now it is time for us to make ours.

The President chose to sidestep Congress, and in the process to avoid debate and to rewrite our immigration laws on his own. Now we must decide: Are we going to be a deliberative body or are we going to be a rubberstamp for the President's agenda, whoever the President is happens to be in power, whether it is now or years from now? Are we going to be that kind of legislative body that just rubberstamps what the President does, or are we going to exercise our prerogative as an independent coordinate branch of this government to make sure our laws are faithfully and carefully executed in a manner consistent not only with the wishes of the people but also with the formula prescribed by the Constitution? Are we going to acquiesce to an Executive who disregards the boundaries of his office, or are we going to stand up for the rule of law and for the will of the American people?

I choose the latter. I urge my colleagues to choose the latter. I hope my colleagues will join me in voting to at least begin debate on H.R. 240. This is a debate the American people have been waiting for Congress to have for far too long. If not now, when? The time is now. We need to get on this bill. We need to debate it. We need to allow our constituents to be heard.

The American people have a will, and that will is expressed through regular elections. Those elections choose those people who occupy seats in this Chamber and in the House of Representatives. We must represent them. We must do so in a manner fully consistent with the oath that every one of us has taken as required by article VI of the Constitution. We can begin to do that by voting to proceed to H.R. 240 tomorrow.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLAY HUNT SAV ACT

Mr. SULLIVAN. Mr. President, last night tens of millions of Americans watched the Super Bowl, a game that has become a national tradition, something of an American holiday—and for good reason. Competition, grit, and hard work can bring out the best in all of us. But not all Americans were watching.

Last night, just like every other night of the year, there were young American men and women, humbly and without complaint, shouldering the burden of protecting their fellow citizens from harm. Some were doing this overseas, in places both familiar and

unfamiliar to us. Others were here in America doing the hard training that is necessary to hone their warrior skills to protect us.

I had the privilege of being with thousands of these fine young Americans last night at the Army's National Training Center, the NTC, at Fort Irwin, CA. Just as in the Super Bowl, they were on the field engaged in fierce competition, force-on-force operations, as part of some of the best, most challenging military training anywhere in the world.

But unlike the Super Bowl, there were no winners or losers last night—just winners. Among the participants at NTC are 3,000 soldiers from a battle-hardened Army Stryker brigade based in Fairbanks, AK, along with hundreds of paratroopers from other military bases across Alaska. I felt immense pride in watching them train last night.

These young men and women, volunteers all, selflessly stand ready to fight and give their lives for our great country. With all due respect to my distinguished colleagues from New England who are deservedly celebrating today, it is very important to keep in mind that America's true patriots were on the field last night in places such as Fort Irwin, Baghdad, and Kabul.

We have an important opportunity to honor their service tomorrow as we prepare to vote on a bipartisan bill to make sure the patriots in our military have the resources and care that can help them fight the despair of suicide. Tomorrow we vote on the Clay Hunt Suicide Prevention for American Veterans Act, which I was proud to cosponsor and help pass out of the Veteran's Affairs Committee.

This bill is named for a true American hero, a decorated Marine who fought in Afghanistan and Iraq and who struggled with despair and ultimately took his own life. This bill will start to bring greater awareness and services to the devastation that too many of our finest fall sway to. I encourage all of my distinguished colleagues to vote for this bill tomorrow so we can get it on the President's desk for his signature as soon as possible.

A vote tomorrow will be a vote for Clay Hunt, for his courageous family, and for all the families and their loved ones who have lost someone to the national tragedy of suicide.

This will be a vote for my State, Alaska, which proudly boasts the highest number of veterans per capita in the United States but, sadly, has the highest rates of suicide in our country. This is also a personal vote for me. It is a story I do not share often or lightly. As an officer in the Marine Corps, both on Active Duty and in the Reserve, I have personally witnessed the struggles, at times tragic, that some of our service men and women undergo.

The suicide of a young Alaskan marine under my command still haunts me. You always wonder: Could I have done more? With the proper awareness

and resources this marine might be alive today. That is why we need legislation such as the Clay Hunt bill. When I cast my vote tomorrow, it will be a vote for all of our veterans but particularly for the families who have suffered the unspeakable pain of suicide.

This is a good bill. It is a good start. As my distinguished colleague from Connecticut calls it, this bill is a downpayment on our debt to our veterans. It will not solve all the problems they face, including rates of suicide among veterans that are far too high in this country. But it is an important beginning. I ask my colleagues to vote for this bill tomorrow.

I yield the floor.

#### CELEBRATING THE 40TH ANNIVERSARY OF CONGREGATION NER TAMID

Mr. REID. Mr. President, I rise today in celebration of the 40th anniversary of Congregation Ner Tamid in Henderson, NV. With its strong commitment to serving others, Congregation Ner Tamid is an integral and deeply valued part of the Las Vegas community.

As the largest Reform synagogue in the State of Nevada, with a membership of more than 600 families, Congregation Ner Tamid is an important center for the Jewish community. For decades, the congregation has provided opportunities for religious education to members of all ages and helped sustain important Jewish traditions that have been practiced for centuries. At the same time, Congregation Ner Tamid has worked to develop strong, interfaith relationships with other communities in southern Nevada. Congregation Ner Tamid hosted the Interfaith Council of Southern Nevada's annual Thanksgiving observance this past November, bringing together people with diverse spiritual views in a unified commitment to mutual understanding and cooperation.

In particular, I appreciate the value Congregation Ner Tamid places on serving others and working to improve the Las Vegas community. Congregation Ner Tamid is committed to helping the homeless, engaging in important political discussions, and providing support to individuals and families through a variety of programs and events.

I extend my congratulations to Congregation Ner Tamid on this important anniversary, and I thank Rabbi Sanford Akselrad, Cantor Jessica Hutchings, president Jacky Rosen, and the past presidents of Congregation Ner Tamid for their leadership and dedication.

#### LAND AND WATER CONSERVATION FUND

Mr. CARPER. Mr. President, I ask unanimous consent to engage in a colloquy with Senator WYDEN.

The PRESIDING OFFICER. Without objection, it is so ordered.